

Senator SPECTER. Mr. Chairman, I am advised that Ms. Holt will appear as a witness and testify that there were other calls made by Professor Hill. On the first citation where Senator Simon has read the record, which I am having pulled and will review, it was related to recordings which I think referred to occasions when Judge Thomas was not present. But she is up in the next panel, and we will soon see.

Senator SIMPSON. Mr. Chairman?

The CHAIRMAN. The Senator from Wyoming.

Senator SIMPSON. I have one further question of Judge Hoerchner.

The CHAIRMAN. Excuse me, does the Senator yield?

Senator BROWN. I Kohl. I yield.

Senator SIMPSON. Oh, I'm sorry.

The CHAIRMAN. I apologize. The interruptions—they are not interruptions. The reason that I am occasionally turning around is because of this constant administrative question as to who comes on next and how in timing, and that is why the minority and majority staff, when I turn around, it is not for lack of input from my colleagues questioning.

The Senator from Wyoming.

Senator SIMPSON. Judge Hoerchner, I asked you if you had ever filed a charge of sexual harassment. I don't think you indicated to me that you had.

Judge HOERCHNER. That's correct.

Senator SIMPSON. I have a record from California, in Norwalk County or Norfolk County, CA, that you did file a claim against a fellow judge, a man named Judge Foster. Is that correct?

Judge HOERCHNER. I was not sure how far in the proceedings that went. It was my understanding that he had negotiated a settlement. I was told that my statement was never taken up to the home office of our board, so—

Senator SIMPSON. But you did file a claim of sexual harassment against a fellow judge within your system?

Judge HOERCHNER. I cannot say that I didn't. I did not fill out any papers. It's possible that the result of my having spoken to the investigator was taken as filing a claim within our system, and in that case it would be correct.

Senator SIMPSON. But he did eventually resign and the process of his resignation and the activities around that were rather widely publicized within that county, weren't they?

Judge HOERCHNER. The terms of the settlement were secret, were supposed to be secret. I am not aware of the full extent of them.

Senator SIMPSON. Again, I am interested only in your intent to do those things and you feel strongly about it, and I am wondering why that counsel was not given to your friend.

Judge HOERCHNER. Senator Kohl, did you have—

Senator KOHL. Yes, just one quick question.

Yesterday, Judge Thomas said that there was a plot afoot in this country to derail his nomination to the Supreme Court. As I hear your comments today, it is obvious to me that if there was a plot afoot, it must have originated 10 years ago. So, do you think that Anita Hill plotted for as long as 10 years ago to derail Judge Thomas' nomination to the Supreme Court?

Judge HOERCHNER. I think that would have been impossible.

Ms. WELLS. The same, Senator, that would have been impossible and unthinkable.

Mr. CARR. I don't think that is possible.

Mr. PAUL. No, Senator, she would be not only deserving of an Academy Award, but she would be a prophet.

Senator KOHL. But he yesterday did, as you know, if you followed his testimony, he made a very, very big point of stating that what was happening here was that there was a huge plot among Anita Hill and others to see to it that he never achieved his nomination. Are you saying that you regard that sort of an analysis on his part to be almost out of the question?

Ms. WELLS. Senator, I would like to point out that the members of this panel met when they walked into this room, so in order for us to have been part of a conspiracy or a plot, we needed to have met one another at some point to get our facts straight and whatever, and we did not have that opportunity.

Mr. PAUL. That's correct, Senator.

Judge HOERCHNER. That is correct.

Mr. CARR. I agree with that.

Mr. PAUL. That's correct, Senator, we don't know each other.

Senator KOHL. You've never met before you met here today?

Mr. PAUL. I've never met any of these people before.

Mr. CARR. We met yesterday.

Judge HOERCHNER. Yesterday, when we walked into the hearing room.

Senator KOHL. Yesterday was the first time?

Ms. WELLS. That's correct.

Judge HOERCHNER. Right.

Senator KOHL. Thank you very much.

Thank you, Mr. Chairman.

The CHAIRMAN. Mr. Chairman, any other questions?

Senator THURMOND. No.

The CHAIRMAN. There being none, I want to thank this panel very, very much. We kept you a long time, over 5 hours.

We are now going to recess for 5 minutes, but I want to call the next panel witnesses to come forward while we do this. The next panel will be J.C. Alvarez, Nancy Fitch, Diane Holt and Phyllis Berry Myers.

We will reconvene in 5 minutes.

[Recess.]

The CHAIRMAN. Ladies and gentlemen, I thank the panel. I know they had to take a little break while we were taking a break, we had them sitting there so long.

Let me indicate what the committee has agreed upon as to how we are going to proceed from now to the moment we end this hearing. And let me reiterate the constraint under which the Senate has placed this committee.

For those who don't know the Senate rules, which are, hopefully, 100 percent of the American people, there has been essentially a motion to recommit here; that is, we have been instructed by the Senate as a whole to take this matter back to the full committee, given a specific time constraint that we report back to the Senate as a whole on this specific issue, the allegation relating to sexual